

(1390 REV. 5-93) US DEPT. OF COMMERCE PATENT & TRADEMARK OFFICE TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 110 #8 U.S. APPLICATION NO. (if known, sec 37 C.F.R. 1.5) 09/936,921
INTERNATIONAL APPLICATION NO. PCT/FR00/00754	INTERNATIONAL FILING DATE March 24, 2000	PRIORITY DATE CLAIMED March 26, 1999
TITLE OF INVENTION DIAGNOSIS OF WHIPPLE'S DISEASE		
APPLICANT(S) FOR DO/EO/US Didier RAOULT et al.		
<p>Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <ol style="list-style-type: none"> 1. <input type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1). 4. <input type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date. 5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> has been transmitted by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US) 6. <input type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> have been transmitted by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)). <p>Items 11. to 16. below concern other document(s) or information included:</p> <ol style="list-style-type: none"> 11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input type="checkbox"/> A FIRST preliminary amendment. <li style="padding-left: 20px;"><input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. 14. <input type="checkbox"/> A substitute specification. 15. <input type="checkbox"/> Entitlement to small entity status is hereby asserted. 16. <input checked="" type="checkbox"/> Other items or information: Request for Refund to Deposit Account 		

U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.5) 09/936,921		INTERNATIONAL APPLICATION NO. PCT/FR00/00754		ATTORNEY'S DOCKET NUMBER 110530	
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<p>17. <input type="checkbox"/> The following fees are submitted:</p> <p style="margin-left: 40px;">Basic National fee (37 CFR 1.492(a)(1)-(5)):</p> <p style="margin-left: 40px;">Search Report has been prepared by the EPO or JPO\$890.00</p> <p style="margin-left: 40px;">International preliminary examination fee paid to USPTO (37 CFR 1.482)\$710.00</p> <p style="margin-left: 40px;">No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2))\$740.00</p> <p style="margin-left: 40px;">Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO\$1,040.00</p> <p style="margin-left: 40px;">International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4)\$ 100.00</p> <p style="text-align: right; margin-right: 40px;">ENTER APPROPRIATE BASIC FEE AMOUNT =</p> <p>Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).</p> <table border="1" style="width:100%; border-collapse: collapse; margin-top: 5px;"> <tr> <th style="width:20%;">Claims</th> <th style="width:20%;">Number Filed</th> <th style="width:10%;">Number Extra</th> <th style="width:10%;">Rate</th> <th style="width:10%;"></th> <th style="width:10%;"></th> </tr> <tr> <td>Total Claims</td> <td style="text-align: center;">- 20 =</td> <td></td> <td>X \$ 18.00</td> <td>\$</td> <td></td> </tr> <tr> <td>Independent Claims</td> <td style="text-align: center;">- 3 =</td> <td></td> <td>X \$ 84.00</td> <td>\$</td> <td></td> </tr> <tr> <td colspan="3">Multiple dependent claim(s)(if applicable)</td> <td style="text-align: center;">+ \$280.00</td> <td>\$</td> <td></td> </tr> <tr> <td colspan="4" style="text-align: right;">TOTAL OF ABOVE CALCULATIONS =</td> <td>\$</td> <td></td> </tr> <tr> <td colspan="4">Reduction by 1/2 for filing by small entity, if applicable.</td> <td style="text-align: center;">-</td> <td>\$</td> </tr> <tr> <td colspan="4" style="text-align: right;">SUBTOTAL =</td> <td>\$</td> <td></td> </tr> <tr> <td colspan="4">Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 month from the earliest claimed priority date (37 CFR 1.492(f)).</td> <td style="text-align: center;">+</td> <td>\$</td> </tr> <tr> <td colspan="4" style="text-align: right;">TOTAL NATIONAL FEE =</td> <td>\$</td> <td></td> </tr> </table>	Claims	Number Filed	Number Extra	Rate			Total Claims	- 20 =		X \$ 18.00	\$		Independent Claims	- 3 =		X \$ 84.00	\$		Multiple dependent claim(s)(if applicable)			+ \$280.00	\$		TOTAL OF ABOVE CALCULATIONS =				\$		Reduction by 1/2 for filing by small entity, if applicable.				-	\$	SUBTOTAL =				\$		Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 month from the earliest claimed priority date (37 CFR 1.492(f)).				+	\$	TOTAL NATIONAL FEE =				\$		CALCULATIONS	PTO USE ONLY
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<p>a. <input type="checkbox"/> Check No. _____ in the amount of \$_____ to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. <u>15-0461</u>. A duplicate copy of this sheet is enclosed.</p> <p>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO: OLIFF & BERRIDGE, PLC P.O. Box 19928 Alexandria, Virginia 22320</p> <p>Date: <u>May 31, 2002</u></p>	<p>NAME: William P. Berridge REGISTRATION NUMBER: 30,024</p> <p>NAME: Melanie L. Mealy REGISTRATION NUMBER: 40,085</p>
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Didier RAOULT et al.

ATTN:

Refund Section
Accounting Div.
Office of Finance

Application No.: 09/936,921

Docket No.: 110530

Filed: September 24, 2001

For: DIAGNOSIS OF WHIPPLE'S DISEASE

REQUEST FOR REFUND TO DEPOSIT ACCOUNT

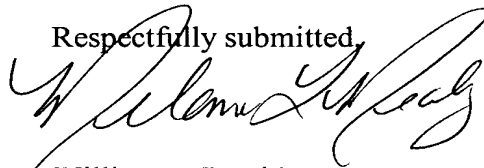
Director of the U.S. Patent and Trademark Office
Washington, D.C. 20231

Sir:

Attached hereto is a copy of a Monthly Statement of Deposit Account (dated April 2002) showing a charge of \$130 related to the above-referenced application. This charge is marked with Fee Code 154, which is the Patent Office surcharge for furnishing the PCT oath or declaration later than 20 or 30 months from the earliest claimed priority date. However, the original executed declaration was provided within 30 months from the earliest claimed priority date (a chapter II demand having been made). Specifically, the earliest claimed priority date is March 26, 1999. Thirty months from this date is September 26, 2001, and the original executed declaration was filed September 24, 2001.

Accordingly, it is respectfully requested that this charge be re-credited to Deposit Account No. 15-0461 and that the Patent Office acknowledge this credit in writing.

Respectfully submitted,



William P. Berridge
Registration No. 30,024

WPB:PAC/jca

Melanie L. Mealy
Registration No. 40,085

Date: May 31, 2002

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

DEPOSIT ACCOUNT USE
AUTHORIZATION

Please grant any extension
necessary for entry;
Charge any fee due to our
Deposit Account No. 15-0461

Deposit Account Statement

Requested Statement Month:

April 2002

Deposit Account Number:

150461

Name:

OLIFF & BERRIDGE P L C

Attention:

BARBARA WATTS

Address:

277 SOUTH WASHINGTON STREET

City:

ALEXANDRIA

State:

VA

Zip:

22314

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT
04/10	11	09936921	110530	154	\$130.00